

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DAVID BARNES, *pro se*,

Plaintiff,

-against-

LOBELL ASSOCIATES LLC.; SHAMERNA
GUZMAN, Manager; VITRAM JOHN DOE,
Associate, in their official and individual
capacities,

Defendants.
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DERRICK BARNES, *pro se*,

Plaintiff,

-against-

GLOBAL ASSOCIATES PETROLEUM LLC.
SHAMERNA GUZMAN, Manager; VITRAM,
Associate Advisor, in their official and
individual capacities,

Defendants.
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DORA L. IRIZARRY, U.S. District Judge:

On October 5, 2007 and October 9, 2007, plaintiff, filed these two *pro se* actions alleging employment discrimination by defendant gas station employer located at 225 Pennsylvania Avenue in Brooklyn, New York. By Order dated December 13, 2007—sent to plaintiff by certified mail with return receipt—plaintiff was directed to show cause within thirty days why the actions should not be dismissed without prejudice for failure to exhaust his administrative remedies. The Order further stated that if plaintiff failed to respond within thirty days, the complaints would be dismissed without prejudice. Plaintiff has not submitted a response, and the time for doing so has passed. Accordingly, the complaints are hereby dismissed without prejudice. 28 U.S.C. § 1915(e)(2)(B)(ii). The Court

certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore *in forma pauperis* status is denied for purpose of an appeal. *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

DATED: Brooklyn, New York
January 30, 2008

/s/
DORA L. IRIZARRY
United States District Judge